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DATE/TIME: July 28, 2004

4 Pages (including cover sheet)

**RE: Response to Restriction Requirement**

Application Number:	10/619,890
Attorney Docket:	BRI/023
Filing Date:	7/15/2003
First Named Inventor:	David M. Forman
Title:	Firing-Readiness Diagnostics of a Pyrotechnic Device Such as an Electronic Detonator
Examiner:	Daniel L. Greene, Jr.
Art Unit:	3641

Attached are:

- Amendment & Response to Restriction Requirement

**Certificate of Transmission under 37 CFR 1.8**

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Signed:

  
Thomas J. Brindisi

S.N. 10/619,890

Docket BRI/023

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1 <sup>st</sup> Named Inventor: David M. Forman	Group Art Unit: 3641
Serial No.: 10/619,890	
Filed: 7/15/2003	
Title: Firing-Readiness Diagnostics of a Pyrotechnic Device Such as an Electronic Detonator	Examiner: Daniel L. Greene, Jr.

RESPONSE TO RESTRICTION REQUIREMENTRECEIVED  
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Sir:

In response to the Office Action of July 22, 2004, the restriction requirement is traversed because it is submitted that MPEP 806.05(e) is not satisfied. First, as explained in the remarks accompanying Applicant's amendment dated April 19, 2004, the process as claimed can not be practiced by the cited Adams apparatus. Second, the process and product have been incorrectly classified in different classes, and there is no basis for classifying "invention I" differently than "invention II." As stated in the Manual of Classification, class 102, subclass 200 comprises "Subject matter for initiating the combustion or detonation of explosive or thermic compositions or charges," while

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Date of Mailing: July 28, 2004

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class 102, subclass 215 comprises "Subject matter comprising an electrical circuit, or components of an electrical circuit to supply electrical energy to an igniting device ... [and] including a computer or logic device (e.g., AND gate, OR gate, etc.)." The claimed system belongs in subclass 200 no more than the method of operating the system, and likewise, the method of operating the system belongs in subclass 215 no more than the system itself.

It is therefore submitted that the restriction requirement has been convincingly traversed, shifting the burden to the Examiner to provide a viable basis or withdraw the requirement per MPEP 806.05(e). Pending withdrawal of the requirement, "invention II" (electronically connected system and components, claims 1-7 and 9-15) is provisionally elected with traverse.

With regard to the requirement of restriction to a species (A or B), "subspecies" (A/B b or c [sic, a or b]), and species (i or ii), it is noted that various statements in the restriction requirement describe the species or subspecies under invention II as an "electronic detonator wherein...," which is recognized as an error since invention II is not limited to an electronic detonator and also includes the electronically connected system. It is also noted that the "subspecies" a and b do not appear to be proper subspecies of species A and B. Subject to reconsideration of the requirement, which is hereby requested, elected for prosecution in this application are species A (Fig. 1 - unbranched bus), subspecies b (continuity check module), species ii (firing capacitor's capacitance verified to be above a first value and below a second value).

The claim correspondence is as follows:

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- Claims 1-7 & 9-15 read on invention II. (Traversed).
- Claims 1-7 & 9-21 read on species A. Claims 1-7 & 9-21 are generic to both species A (Fig. 1 - branched bus) and B (Fig. 2 - unbranched bus).
- Claims 1, 3-7 & 10-21 read on "subspecies" b. Claims 1, 5-7, 11-13 & 16-21 are generic to both "subspecies" a (ignition element resistance check) and b (ignition element continuity check).
- Claims 1-5, 7 & 9-21 read on species ii. Claims 1-5, 12 & 14-21 are generic to both species i (one-way capacitor check) and ii (two-way capacitor check).
- Claims 1, 3-5, 7 & 10-15 consequently read on the intersection of the elected invention/species/"subspecies"/species noted above, with the claims being generic as described above.

It is noted that withdrawn claims are subject to reinstatement at such time as pertinent linking claims are found allowable. It is believed that no fees are due with the present response, but if any fees are required, it is hereby requested that such fees be charged to the undersigned's Deposit Account No. 502502.

Respectfully submitted,



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Dated: July 28, 2004

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